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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WARREN SMITH,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC.,
UNITED PARCEL SERVICE FLEXIBLE
BENEFIT PLAN, and AETNA LIFE
INSURANCE COMPANY,

Defendants.

Case No. 3:17-cv-00137-HDM-WGC

**JOINT STATUS REPORT AND ORDER TO
EXTEND RESPONSE DEADLINES
RELATED TO ECF NOS. 48 AND 53**

(First Request)

Comes now the Parties, by and through counsel, and hereby provide the Court with the following status report and joint request to extend certain response deadlines related to the briefing of ECF No. 48 and 53, which are presently August 21, 2018 and August 16,

2018 respectively, by thirty (30) days. This is the first request to extend these particular deadlines.

Good cause exists to extend these deadlines. Following the Court's Order regarding the Motions for Summary Judgment (ECF No. 46) , the parties have conferred and agreed to an amicable settlement of the Plaintiff's claims for STD benefits, including, costs, interest and attorney's fees. This settlement will moot Plaintiff's Motion for Attorney's Fees, Costs, and Prejudgment Interest (ECF No. 48 – 52, 54), and Plaintiff's Bill of Costs (ECF No. 53) , and the Notice of Appeal filed by the UPS Defendants (ECF No. 55). The Defendants' counsel is presently preparing a settlement agreement, which will result in the dismissal of this matter and the appeal and include the acknowledgement of the Plaintiff's right to seek LTD benefits. The Parties therefore request that this Court stay all further proceedings in this case for a period of 30 days to allow for Defendants to provide a settlement agreement acceptable to all parties, fund the settlement, and supply the forms for Plaintiff to apply for LTD benefits.

Accordingly, the Parties respectfully request that this Court stay this proceeding for 30 days, and that the deadline to respond to ECF No. 48, be continued from August 21, 2018, to **September 21, 2018**, and the deadline to respond to ECF No. 53, be continued from August 16, 2018, to **September 17, 2018**.

Dated this 16th day of August, 2018.

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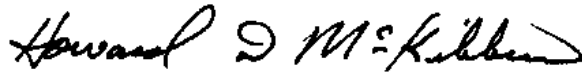
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ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: August 16, 2018